GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:1777
ANSWERED ON:08.08.2006
NEW OFFICES FOR DISPOSAL OF PATENT CASES
Masood Shri Rasheed

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether the Government has formulated a new policy for early disposal of patent cases;

(b) if so, the details thereof; (

(c) whether the Government proposes to open new offices for early disposal of patent cases; and

(d) if so, the details/locations thereof State-wise?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (SHRI ASHWANI KUMAR)

(a) & (b): The Patents Rules, 2003, as amended by the Patents (Amendment) Rules, 2006 effective from 5th May, 2006 prescribe specific time-frames for various activities of the Patent Offices in order to ensure time bound disposal of patent applications. These, inter alia, include: a patent application which has to be referred to an Examiner within one month of the request for its examination; the Examiner has to make the report within one to three months thereafter; the Controller has to take a decision on the report of the Examiner within one month of its submission; and the First Examination Report has to be issued within six months of the date of request for examination of a patent application.

(c): No, Sir.

(d): Does not arise.